

**CAREY & ASSOCIATES LLC**

Attorneys for Michael Q. Carey,  
d/b/a Carey & Associates  
521 Fifth Avenue, Suite 3300  
New York, NY 10175-3399  
Tel: 212-758-0076  
Fax: 212-758-0069  
Michael Q. Carey (MC 1802)  
Natasha P. Concepcion (NC 1481)

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

In re: Chapter 13

RUDOLF J.O. ERNST and ANGELIKA L. Case No. 04-12291-JMP  
ERNST,

Debtors.

-----X

**NOTICE OF APPEAL**

Notice is hereby given that, pursuant to 28 U.S.C. § 158(a), Michael Q. Carey, d/b/a Carey & Associates ("Carey"), a creditor in this action, appeals to the United States District Court for the Southern District of New York from the so-ordered "Memorandum of Decision Granting Debtors' Motion for Summary Judgment and Disallowing Amended Claim of Michael Q. Carey for Attorneys' Fees" of the Honorable James M. Peck, entered in this action on the 27th day of April 2007.

Dated: New York, New York  
May 4, 2007

CAREY & ASSOCIATES LLC

By: Michael Q. Carey  
Michael Q. Carey (MC 1802)  
Carey & Associates LLC  
Attorneys for Michael Q. Carey,  
d/b/a/ Carey & Associates  
521 Fifth Avenue, Suite 3300  
New York, NY 10175-3399  
Tel: 212-758-0076  
Fax: 212-758-0069

To: Joseph Fox, Esq.  
Law Offices Of Joseph L. Fox  
The Lincoln Building,  
60 East 42nd Street, Suite 2231  
New York, New York 10165  
ATTORNEYS FOR DEBTORS

Jeffrey Sapir, Esq.  
Chapter 13 Trustee  
399 Knollwood Road, Ste. 102  
White Plains, New York 10603

United States Trustee  
33 Whitehall Street, 21st Floor  
New York, New York 10004